

5:08cv19

ORDER

(D) Joinder of the Issues. For the limited purpose of these Local Civil Rules, “joinder of the issues” occurs when the final answer to a complaint, third-party complaint, or crossclaim or the final reply to counterclaim has been filed, or the time for doing so has expired. Rule 12 motions contained in an Answer, but not supported by a brief, act as placeholders and do not prevent joinder of the issues. Where Rule 12

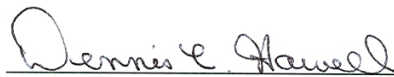
motions are filed and briefed, issues will not join until such motions are resolved by the court, unless otherwise ordered by the Court.

L.Cv.R. 16.1(D). Joinder of issues under such provision triggers the Rule 26(f) requirement of conducting an initial attorneys conference, as provided in Local Civil Rule 16.1(A). The court greatly appreciates the close attention respective counsel have paid to this matter. Having considered plaintiff's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff's Motion to Stay Proceedings (#4) is **GRANTED**, and the requirement of conducting an IAC is **STAYED** pending joinder of all parties and all issues as provided in LCvR 16.1(D).

Signed: May 28, 2008

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Dennis L. Howell
United States Magistrate Judge

